

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

UNITED STATES OF AMERICA, *

v. * Criminal Action No. RDB-12-00668

MURAT AKSU, *

Defendant. *

* * * * *

MEMORANDUM OPINION

Defendant Murat Aksu (“Aksu”) is charged in a two-count indictment (1) of aiding and abetting marriage fraud in violation of 8 U.S.C. § 1325(c) and 18 U.S.C. § 2 and (2) of naturalization fraud in violation of 18 U.S.C. § 1425(a). Pending before this Court is co-Defendant Meltem Meral’s Motion to Suppress Statements (ECF No. 73) which Defendant Aksu has adopted. Meltem Meral has since pled guilty to a one-count information charging her with making a materially false statement to a government agency in violation of 18 U.S.C. § 1001. Defendant Aksu has not filed his own Motion to Suppress Statements. On April 29, 2013, the parties appeared before this Court for a motions hearing and the Court heard oral arguments concerning this motion. For the reasons stated below, Defendant Meltem Meral’s Motion to Suppress Statements (ECF No. 73) as adopted by Defendant Murat Aksu is DENIED.

BACKGROUND

Defendant Aksu is charged in Count I with aiding and abetting co-Defendant Meltem Meral, a Turkish citizen, and United States citizen J.A. to commit marriage fraud in violation of 8 U.S.C. § 1325(c) and 18 U.S.C. § 2. He is also charged in Count II with knowingly

procuring and obtaining for himself, a person not entitled to naturalization, naturalization as a citizen of the United States under 18 U.S.C. § 1425(a). According to the proffers of counsel during the April 29, 2013 motions hearing, Defendant Aksu is a Ph.D. candidate and a naturalized United States citizen who immigrated to this country from Turkey several years ago. At some point prior to Meltem Meral's marriage to J.A., she and Defendant Aksu were married and then divorced. Additionally, it is the government's contention that at the time of their arrest, Meltem Meral and Defendant Aksu were cohabitating.

Defendant Aksu was indicted on December 2, 2012 along with Meltem Meral and Hakan Meral. Indictment, ECF No. 1. Hakan Meral has since pled guilty to aiding and abetting marriage fraud. Plea Agreement, ECF No. 84. Meltem Meral has pled guilty to a one-count information charging her with making a materially false statement to a government agency in violation of 18 U.S.C. § 1001. Plea Agreement, ECF No. 98.

ANALYSIS

As indicated above, Defendant Murat Aksu ("Aksu") did not file his own Motion to Suppress Statements but instead adopted the boilerplate motion concerning the same filed by co-Defendant Meltem Meral. The record reflects that Defendant Aksu made no statements to the government during and after his arrest. At the hearing, Defendant Aksu conceded this point but argued for the suppression of statements made during his naturalization interview which the government has proffered it will introduce at trial. However, *Miranda* warnings are only required when a subject is interrogated while in custody. *Miranda v. Arizona*, 384 U.S. 426 (1966). As Defendant Aksu made no statements

to the government and as statements made during naturalization proceedings are not subject to *Miranda* warnings, Defendant Aksu's Motion to Suppress Statements is DENIED.

CONCLUSION

For the reasons stated above, Defendant Meltem Meral's Motion to Suppress Statements (ECF No. 73) as adopted by Defendant Aksu is DENIED.

A separate Order follows.

Dated: May 3, 2013

/s/

Richard D. Bennett
United States District Judge